

QUEENSTOWN LAKES DISTRICT COUNCIL

Private Plan Change 52 Mount Cardrona Station

Third Minute and Directions of Hearing Commissioners

1. This Third Minute responds to the Memorandum received from Mr Goldsmith for the Requestor dated 29 June 2017.
2. Mr Goldsmith seeks that the original hearing dates be reinstated. He has confirmed four witnesses will now be available for questioning, either in person and or by telephone. The remaining witnesses listed in paragraph 4 of our Second Minute will, it seems, not attend. Mr Goldsmith states the Requestor will rely on the information presented as part of the Request, subject to recommendations contained within the section 42A report, and that the Requestor will adopt the section 42A report in its entirety as evidence for the Requestor, including all recommendations.
3. Mr Goldsmith does not appear to have quite understood our Second Minute. We endeavoured to make it clear that we may have questions for a number of the Requestor's witnesses, but were unavailable to confirm who those witnesses might be at this time. If the Requestor chooses to proceed with the original hearing dates, it will be at its risk. It is possible that we will have questions for other witnesses who are not available. In those circumstances, our only option may be to seek further evidence/ information and/ or to adjourn the hearing and reconvene. That does not sit well with the streamlined RMA processes mentioned by Mr Goldsmith at paragraph 8a of his Memorandum.
4. We reiterate the points made in our Second Minute of the importance of the Commission being satisfied that it has all information necessary to make an **independent** recommendation to the Council.
5. We are also concerned for the submitters. We are aware that one submitter made enquiries of the Council about the date for lodgement of evidence, following the issue of our Second Minute. We confirmed to the Council yesterday that the submitter's evidence was not required to be filed by 3 July, given we were exploring a new hearing date. Directions were to be made confirming the new date for such evidence to be lodged. We are not aware of whether other submitters had intended to lodge expert evidence on 3 July.
6. We are also aware that another submitter was travelling from out of town to attend the hearing. That submitter may have cancelled flights already. There may be other submitters who have made special arrangements to attend the hearing but have now cancelled them.
7. If the hearing is to proceed on 11 and 12 July, we propose to extend the period for expert evidence to be lodged by submitters to **12 noon 6 July**. That extension should not prejudice any submitter, given they will have 3.5 days next week to complete evidence. Any non-expert evidence from submitters may be presented at the hearing in the usual way.

8. If a submitter is now unable to attend a hearing on 11 and 12 July, we will give that submitter the opportunity to table any written material ahead of the hearing and to take questions from us by telephone. We will make directions on that once when we issue a further Minute advising whether the hearing will be reinstated.
9. To conclude, at this stage, we are open to reinstating the hearing on the original dates of 11 and 12 July. However, we consider it fair to invite comments from the submitters on the matters raised in this Third Minute. We ask that any comments be emailed to Ms Julia Chalmers at the Council no later than **noon on Friday 30 June 2017**:
Julia.Chalmers@qldc.govt.nz.
10. We will then make a final decision on whether the hearing should be reinstated and issue a further Minute.
11. Any enquiries regarding these Directions or related matters should be directed to Julia Chalmers at Queenstown Lakes District Council.

Jan Caunter (Chair)

For the Hearing Commissioners

29 June 2017